

**GEORGIA BOARD OF MASSAGE THERAPY
MINUTES OF BOARD MEETING
December 15, 2006**

The Georgia Board of Massage Therapy board meeting was held on December 15, 2006, 9:00am, at The Professional Licensing Boards division offices located at 237 Coliseum Drive, Macon, Georgia.

The following members were present:

Jane H. Johnson, Chairman
Kathy V. Lescak, Vice Chairman
Melony Phillips, Cognizant
Marlene Gaskill, Consumer
Steve Earles

Absent:

Brig Zimmerman, Executive Director

Administrative Staff Present:

Anita Martin, Executive Director, Tanja Battle, Deputy Division Director, Amanda Allen, Board Secretary, Serena Gadson, Application Specialist II, Pam Candler, Application Specialist, Janet Wray, Attorney Generals Office

Guest Attendee:

Norman J. Klemmer, Massage Envy

Ms. Johnson established that a quorum of the Board was present and called the Boards meeting to order at 9:04 a.m.

Agenda:

Ms. Phillips moved, Ms. Lescak seconded and the Board approved the Agenda with late items added.

Minutes:

Ms. Phillips moved, Ms. Lescak seconded and the Board voted to table approving the November 30th and December 1st minutes until the next scheduled Board meeting on January 05, 2007.

Executive Director Reports:

Mrs. Allen presented Mr. Zimmerman's report to the Board in his absence. The following items were reviewed with the Board

1. Proposed Rule Amendment to Rule 345-3-Applications – previously adopted at the November 30, 2006 Board meeting. Error noted in 345-3-.01(e) (7) – Request Re-Post.

Affidavit-Certification of Membership in a Professional MT Association/Organization – Request Board review/approve adding to the Massage Therapy Application.

Ms. Lescak moved, Ms. Gaskill seconded and the Board voted to accept the Affidavit as part of the Massage Therapy Application.

2. For Discussion: As the Board's education subject matter expert, Ms. Phillips was asked if she would be able to review the schools official transcripts submitted by applicants to determine whether the school would meet the Board's requirements to become an Approved Massage Therapy Educational Program. Per Ms. Phillips, she would not be able to review just the school transcripts to verify if the school will meet the requirements due to the fact that the transcripts would be missing the necessary information that she will need when reviewing their curriculum and other requirements. For example, she stated the transcripts would not show the following detailed information:

1. Student/Teacher Ratios
2. Faculty Requirements
3. Additional Requirements, set forth by the school

3. Mrs. Gadson addressed the Board informing them that there might be several states that will not mail license verifications to the applicant, instead they will only forward them directly to another states Licensing Board. Ms. Gadson asked the Board if they thought the licensure verification procedures needed to be revised. Per the Board, they will look into revising the verification procedures when and if they run into numerous problems from other states.

4. Mrs. Allen informed the Board that Mr. Zimmerman spoke with Bill Crews from NPEC. He will forward the Board's website and forms link to those schools accredited by NPEC in order that they each may apply independently, if desired, for consideration by the Board as a recognized MT Educational Program. It was also noted that programs not accredited by NPEC may apply as well; all applications will be reviewed to determine if the requirements set forth in (proposed) Chapter 345-8 are met or exceeded.

Continued Rule and Forms Discussion:

Rule 345-3 – Applications:

Ms. Gaskill moved, Ms. Phillips seconded, and the Board voted to re-post Rule 345-3-Applications as follows:

The Board voted that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as provided by the Attorney General's office.

The Board also voted that it is not legal or feasible to meet the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. §50-13-4(3) (A) (B) (C) (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Massage Therapy.

**NOTICE OF INTENT TO ADOPT A PROPOSED
RULE AMENDMENT TO THE GEORGIA BOARD OF MASSAGE THERAPY RULES,
CHAPTER 345-3, APPLICATIONS
AND NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Massage Therapy (hereinafter "Board") proposes an amendment for the Georgia Board of Massage Therapy Rules, Chapter 345-3, Applications (herein after "proposed chapter adoption").

This notice, together with an exact copy of the proposed chapter adoption and a synopsis of the proposed chapter adoption, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed chapter adoption, and a synopsis of the proposed chapter adoption may be reviewed during normal business hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. Copies may also be requested by contacting the Board office at (478) 207-2440.

A public hearing will be held at 9:10 a.m. on February 02, 2007, at the Secretary of State's Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed chapter adoption.

At the public hearing, anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to five (5) minutes per person. Written comments are welcome. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 P.M.) on January 26, 2007. Written comments should be addressed to Mollie L. Fleeman, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Board of Massage Therapy, 237 Coliseum Drive, Macon, Georgia 31217. Telephone (478) 207-2440 or fax (478) 207-1633.

The Board will consider the proposed chapter adoption at a meeting scheduled to begin at 9:20 a.m. on February 2, 2007 at the Secretary of State's Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia Board of Massage Therapy has the authority for the proposed rule amendment adoption pursuant to authority contained in O.C.G.A. §§ 43-1-19, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-10, 43-24A-14 and 50-13-3.

At its meeting on December 15, 2006 the Georgia Board of Massage Therapy voted that the formulation and adoption of this chapter does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed chapter cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.G.C.A. §§ 43-1-19, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-10, 43-24A-14 and 50-13-3.

Additionally, at the meeting, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-19, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-10, 43-24A-14 and 50-13-3 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of this proposed chapter will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of massage therapy.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This the _____ day of _____, 2006.

Mollie L. Fleeman
Division Director
Professional Licensing Boards Division

Posted: _____

**SYNOPSIS OF PROPOSED CHAPTER TO THE
GEORGIA BOARD OF MASSAGE THERAPY RULES,
CHAPTER 345-3, APPLICATIONS**

PURPOSE: The purpose of the proposed chapter is to define the application requirements of the Board pursuant to O.C.G.A. §§ 43-1-19, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-10, 43-24A-14 and 50-13-3.

MAIN FEATURES: The main feature of the proposed chapter is to define the eligibility requirements of applicants and the applications of the Board.

**THE PROPOSED CHAPTER TO THE GEORGIA BOARD OF MASSAGE THERAPY RULES,
CHAPTER 345-3 - APPLICATIONS**

NOTE: Underlined text is proposed to be added; lined through text is proposed to be deleted.

Chapter 345-3 APPLICATIONS

Table of Contents

345-3-.01 Application for Licensure Prior to July 1, 2007

345-3-.01 Application for Licensure Prior to July 1, 2007

- (1). The applicant for licensure as a massage therapist shall submit an application on a form approved by the Board. In addition to the information called for on the form, the applicant must also submit the following:
- (a). Three (3) References: Two (2) professional references from practicing massage therapists or instructors from a massage therapy program and one (1) personal reference (excluding immediate family). All references must have known the applicant for two (2) years; however, for applicants who have graduated from a massage therapy program within one (1) year of the date of their application, the professional references must have known the applicant for only a minimum of six (6) months.
- (b). Photograph of the applicant. Only a passport type (3X3) photo taken within the past twelve months will be accepted;
- (c). Authorization to perform a criminal background check;
- (d). The proper fee – see fee schedule;
- (e). Verification of having met **one** of the following requirements:
1. Official transcript showing successful completion of a minimum of 500 hours of course and clinical work in massage therapy from a Board recognized educational program; or
 2. Official verification from the NCBTMB showing applicant has passed the National Certification Exam for Therapeutic Massage (NCETM) or the National Certification Exam for Therapeutic Massage & Bodywork (NCETMB); or
 3. Official verification from another state or jurisdiction that applicant has passed a massage therapy licensing examination (such state or jurisdiction must have license requirements that meet or exceed the licensing requirements for a massage therapist in the state of Georgia); or
 4. Official authorization from the NCBTMB to sit for the NCETM/NCETMB; or
5. Official transcript showing graduation from an established state-licensed school for massage therapy indicating a minimum of 500 hours of in-class supervised instruction as follows:
- a. **Enrolled in school prior to June 1, 2005:** 100 in-class clock hours of anatomy/physiology, 200 in-class clock hours in massage therapy and application and 2 in-class hours in ethics; or
 - b. **Enrolled in school on or after June 1, 2005:** 125 hours of in-class, supervised instruction in the body's systems and anatomy, physiology and kinesiology; 200 hours of in-class, supervised instruction in massage and bodywork assessment, theory and application; 40 hours of in-class, supervised instruction in pathology; 10 hours of in-class instruction in business and ethics (a minimum of 6 hours of ethics) and 125 hours of additional in-class, supervised instruction in an area or related field that theoretically completes your massage program of study; or
6. Official verification from another state or jurisdiction that the applicant holds an active license to practice massage therapy in such other state or jurisdiction (such other state or jurisdiction must have license requirements that meet or exceed the licensing requirements for a massage therapist in the state of Georgia); or
7. Official verification from a professional massage therapy association that indicates the years of membership, as a massage therapist, by the applicant (applicant must show a minimum of one year of membership prior to the date of application) and the date the professional association was established (such association must be established no later than December 31, 2001), and, includes a copy of the professional association's code of ethics; or
8. Official copy from a local government in the state of Georgia of a business license (prior to July 1, 2005) for the practice of massage therapy (if the applicant is an employee of the business, the applicant must also submit official verification from the employer of employment status), and, a copy of Georgia state income tax return, W2 form(s) or form(s) 1099 for a tax year prior to July 1, 2005 showing income as a massage therapist; or
9. Official transcript showing from an established state-licensed school for massage therapy indicating a minimum of 100 hours of in-class supervised instruction to include massage therapy

theory, technique and practice, **and** original appointment book(s) or invoices for massage therapy appointments for ten (10) years preceding the date of application (must indicate hours of service on a weekly basis), **and** copies of income tax returns, W2 form(s), or form(s) 1099 for the ten (10) year period preceding the date of application showing income as a massage therapist; or

10. Official transcript showing from an established state-licensed school for massage therapy indicating a minimum of 200 hours of in-class supervised instruction to include massage therapy theory, technique and practice, **and** original appointment book(s) or invoices for massage therapy appointments for five (5) years preceding the date of application, **and** copies of income tax returns, W2 form(s), or form(s) 1099 for the five (5) year period preceding the date of application showing income as a massage therapist.

11. The Board may deny a license for any of the reasons set forth in O.C.G.A § 43-1-19

12. The Board may request additional verification of any requirements or credentials, as it may deem necessary.

Authority O.C.G.A. §§ 43-1-19, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-10, 43-24A-14 and 50-13-3.

Announcements:

No announcements

Correspondence:

No correspondence

Ms. Phillips moved and Mr. Earles seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-2(k) (1) (2), 43-1-19(h) (2) & (4), §43-1-2(k) (4) and 50-14-2(1) and to deliberate on the Cognizant Report, Applications and to receive information on the Attorney General's Report. Voting in favor of the motion were those present who included Board members Earles, Phillips, Lescak, Gaskill and Johnson. The Board concluded Executive Session in order to vote on these matters and to continue with the public session.

Cognizant Report:

No report

Attorney General's Report:

No report

Applications:

Mr. Earles moved, and Ms. Gaskill seconded, and the Board voted to take the following action on applications for licensure by official transcripts:

J.L.A.	Approved Pending
T.J.A	Approved Pending
J.Y.B.	Approved Pending
K.C.	Approved Pending
Davis, Letitia	Approved

Dustin, James R.	Approved
K.E.	Approved Pending
J.J.G.	Approved Pending
E.M.I.	Approved Pending
Kelly, Patricia	Approved
Y.K.	Approved Pending
K.K.	Approved Pending
M.L.	Pending
S.M	Approved Pending
M.R.	Pending
Rogers, Patty W.	Approved
K.T.	Approved Pending
H.T.	Pending
T.T.	Pending
T.W.	Pending
E.W.	Pending
M.W.	Pending
B.W.	Pending
C.Y.	Pending

Mr. Earles, moved and Ms. Gaskill seconded, and the Board voted to take the following action on applications for licensure by Membership with a Professional Massage Therapy Association:

D.R.D.	Pending
Herman, Janet	Approved
Hong, Christopher	Approved
LaHarpe, Charlene	Approved
F.P.	Pending
Sills, Sean	Approved

Mr. Earles moved, and Ms. Gaskill seconded, and the Board voted to take the following action on applications for licensure by National Board Certification (NCETMB):

J.S.	Pending
T.N	Approved Pending
I.R.	Pending
B.S.	Pending
F.S.	Pending

Mr. Earles moved, and Ms. Gaskill seconded, and the Board voted to take the following action on applications for licensure by Local Government Business License:

T.G.C.	Pending
M.M.	Pending
M.R.	Pending

Mr. Earles moved, and Ms. Gaskill seconded, and the Board voted to take the following action on applications for licensure by State Licensure from another state or jurisdiction:

Sazy, Patricia

Approved

Ms. Gadson informed the Board that all applications presented with an approved pending status will be issued a license upon receipt of the additional documentation pending.

Ms. Gaskill moved, and Ms. Phillips seconded, and the Board voted to ratify the following licenses issued between Board meetings following the Board review, who were determined to have met licensure requirements as follows:

License No.	Name	Issue Date
MT000001	Johnson, Jane Horton	12/12/2006
MT000002	Lescak, Kathy V.	12/12/2006
MT000003	Phillips, Melony F	12/12/2006
MT000004	Earles, Steven Frank	12/12/2006
MT000005	Lescak, Gary Joseph	12/12/2006
MT000006	Peters, Lisa Marie	12/12/2006
MT000007	Sullivan, Heather Dawn	12/13/2006
MT000008	Stein, Rita Ann Lautaret	12/13/2006
MT000009	Davis, Vivian Lou	12/13/2006
MT000010	Cone, Dawn Ellen	12/13/2006
MT000011	Fairo, Evija Lielmeza	12/13/2006
MT000012	Garvey, Michelle	12/13/2006
MT000013	Gronberg, Laura Elena	12/13/2006
MT000014	Hartsfield, Vanessa Lucille	12/13/2006

Additional Items Addressed:

Mr. Earles requested if it was possible to obtain a roster that will show what city/county each Massage Therapist applicant is applying in. Ms. Gadson stated she would speak to Mr. Zimmerman about supplying the Board with this information.

An additional Board meeting date was set for February 02, 2007.

There being no additional business to discuss, Ms. Lescak moved, Ms. Phillips seconded, and the Board voted to adjourn today's meeting at 1:00 p.m.

Minutes recorded by:

Minutes reviewed and edited by:

Amanda Allen, Board Secretary

Brig Zimmerman, Executive Director

Jane H. Johnson, Chair

Brig Zimmerman, Executive Director
Professional Licensing Boards Division

These minutes were approved and signed on: _____.